

IN RE: DEVELOPMENT PLAN HEARING
AND PETITION FOR VARIANCE
SW Corner Rolling Road and
Clays Lane
2nd Election District
2nd Councilmanic District
Coscan/Adler Limited Part.
Owner/Developer

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case Nos. 11-505 & 94-86-A

OPINION AND ORDER

This matter comes before this Hearing Officer/Deputy Zoning Commissioner for consideration of a development plan prepared by Morris and Ritchie Associates, Inc., for the proposed development of the subject property by Coscan/Adler Limited Partnership, Owners, with 272 residential condominium units in accordance with the development plan submitted into evidence as Developer's Exhibit 1. In addition to development plan approval, the Owner seeks relief from the Baltimore County Zoning Regulations (B.C.Z.R.) and the Comprehensive Manual of Development Policies (C.M.D.P.) as more particularly set forth within the Petition for Variance filed within Case No. 94-86-A, the decision on which has been combined within this Development Plan Opinion and Order.

Appearing at the public hearing required for this project were David B. Adler, President of the Adler Corporation, a General Partner of Coscan/Adler Limited Partnership, Owners of the subject property; Timothy F. Madden, Robert F. Bradley, and Kristine Tebay on behalf of Morris and Ritchie Associates, Inc.; and Steven Koren with Koren Development. The Owner/Developer was represented by Robert A. Hoffman, Esquire. As always, numerous representatives of the various Baltimore County reviewing agencies attended the hearing; however, no citizens from the surrounding community appeared.

Testimony revealed that the subject property consists of a net area of 18.7 acres, more or less, zoned D.R.16 and is presently unimproved cleared farmland. The Owner proposes to develop the site with condominiums and coach townhome units as more particularly described within Developer's Exhibit 1. Testimony presented by Timothy Madden revealed that while the property enjoys a permitted density of 316 units, the developer only proposes to utilize 272 density units. The Developer also seeks variance relief from the B.C.Z.R. and the C.M.D.P. as follows: From Section 21-11 of the C.M.D.P. to permit two (2) of the proposed back to back buildings to have a maximum length of seven (7) units at 140 feet and for three buildings to have a maximum length of nine (9) units at 180 feet, in lieu of the maximum permitted six (6) units or 180 feet; from Section 11-22 of the C.M.D.P. to permit Multi-family Buildings Nos. 7 and 13 to be located 33 feet and 32 feet, more or less, respectively, from the proposed edge of a private street, in lieu of the required minimum 35 feet; from Section 409.8(c)(1) of the B.C.Z.R. and Sections 11-21 and 11-23 of the C.M.D.P. to permit a maximum of 17 parking spaces between landscaped islands in lieu of that required; and from Section 413.1(E)(1) of the B.C.Z.R. to permit three (3) freestanding entrance signs of 200 sq.ft. each (600 sq.ft. total) in lieu of the maximum permitted 15 sq.ft. Testimony and evidence presented indicated that the relief requested is necessitated by the irregular shape of the parcel and the Developer's efforts to effectively develop the site with minimum impact on the surrounding landscape and amenity open space areas.

As to the history of this project, the concept plan conference for this development was conducted on March 1, 1993. As required, a community input meeting was held on June 3, 1993 and thereafter, an information-

al meeting was held on July 28, 1993. Subsequently, the developer submitted a development plan and a conference thereon was held on September 29, 1993. Following the submission of that plan, development plan comments were submitted by the appropriate agencies of Baltimore County and a revised development plan incorporating these comments and bearing a revision date of October 1, 1993, was submitted at the hearing held before me on October 11, 1993.

At the public hearing before me, I am required to determine what, if any, agency comments remain unresolved. At the preliminary stage of the hearing, I asked the Owner/Developer if they were aware of any unresolved issues that needed to be addressed. On behalf of the Developer, Tim Madden identified several minor notes which needed to be added to the plan, but agreed to add any additional notes as may be required by any Baltimore County agency. Several of the representatives who appeared at the hearing on behalf of the Baltimore County reviewing agencies submitted additional notes and comments to Mr. Madden who agreed to add those notes to the plan on behalf of the Developer. Mr. Madden indicated that he would add the additional notes presented to him by the Baltimore County agencies to the plan, would then submit the revised plan to those respective agencies for review and approval, and submit the reviewed plan to this Hearing Officer for final approval. Inasmuch as the Developer was agreeable to incorporating the additional comments from the various Baltimore County agencies represented at the hearing, there was no need to take any testimony on those issues. The Developer has agreed to satisfy all County requests and therefore, the various agencies offered their support of this development.

An issue was raised by Kurt Engstrom, the District Manager for Baltimore County, on behalf of an adjoining property owner. This issue involved landscaping around the storm water management pond situated at the southeast corner of the subject site. Based on the information provided to me at the hearing, a restriction will be placed on the use of the pond order to address the landscaping around the storm water management pond in question.

It should be noted that all County agencies supported the variance relief sought by the Owner/Developer and there being no evidence that would indicate the relief requested would result in any detriment to the health, safety, or general welfare of the surrounding community, the variance requested shall be granted.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the petitioner and his property. Madden v. County, 270 Md. 286 (1974). To prove practical difficulty for an area variance, the petitioner must meet the following:

- 1) whether strict compliance with requirements would unreasonably prevent the use of the property for its permitted purpose or render conforming use unreasonably burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Therefore, pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved consistent with the comments contained herein and the restrictions set forth hereinafter. Furthermore, the relief requested in the Petition for Variance shall be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner and Hearing Officer for Baltimore County this 27th day of October, 1993 that the development plan for Windsor Commons, identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Variance requesting relief from the B.C.Z.R. and the C.M.D.P. as follows: From Section 21-11

of the C.M.D.P. to permit two (2) of the proposed back to back buildings to have a maximum length of seven (7) units at 140 feet and for three buildings to have a maximum length of nine (9) units at 180 feet, in lieu of the maximum permitted six (6) units or 180 feet; from Section 11-22 of the C.M.D.P. to permit Multi-family Buildings Nos. 7 and 13 to be located 33 feet and 32 feet, more or less, respectively, from the proposed edge of a private street, in lieu of the required minimum 35 feet; from Section 409.8(c)(1) of the B.C.Z.R. and Sections 11-21 and 11-23 of the C.M.D.P. to permit a maximum of 17 parking spaces between landscaped islands in lieu of that required; and from Section 413.1(E)(1) of the B.C.Z.R. to permit three (3) freestanding entrance signs of 200 sq.ft. each (600 sq.ft. total) in lieu of the maximum permitted 15 sq.ft., in accordance with Developer's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Class A landscape buffer shown along the southeast property line shall be continued in a southeasterly direction parallel to the embankment of the storm water management facility to the southeastermost edge of the embankment (in areas exclusive of any existing or proposed drainage and utility easements), only if the adjacent property owner provides sufficient area on its property to install the Class A landscape buffer. The adjacent property owner shall provide such sufficient area through a recorded easement that includes legally sufficient indemnifications or releases as may be necessary for the installation of the plant material. Additionally, ornamental grasses are to be installed along the southeast border of the embankment of the storm water management pond on the subject site, only if approved by all appropriate governmental agencies.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 27, 1993

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING & PETITION FOR VARIANCE
SW/Corner Rolling Road and Clay Lane
(Windsor Commons)
2nd Election District - 2nd Councilmanic District
Coscan/Adler Limited Partnership - Owner/Developer
Case No. 11-505 and 94-86-A

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Development Plan has been approved and the Petition for Variance granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management Office at 887-3391.

Very truly yours,

Timothy M. Koprucko
TIMOTHY M. KOPRUCKO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. David B. Adler, President
The Adler Corporation
10480 Little Patuxent Pkwy, Suite 400, Columbia, Md. 21044-3502

Mr. Timothy Madden
Morris & Ritchie Associates, Inc., 110 West Road, Towson, Md. 21204

People's Counsel

file

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at _____ which is presently zoned _____

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) _____

(See Attached Sheets)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (Indicate hardship or practical difficulty):

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Consent Purchaser/Lessor	
Type or Print Name	
Signature	
Address	
City	
State	
Zip	
Attorney for Petitioner	
Type or Print Name	
Signature	
Address	
City	
State	
Zip	
210 Allegheny Ave. 823-6111	
Towson, MD 21204	
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Petition for Variance Notes
Windsor Commons
MRA #9590

Variance items, 1, 2 and 3 include departures from the standards set forth in the Comprehensive Manual of Development Policies (CMDP). The following variances are requested from the specifically cited CMDP provisions, which were adopted by Baltimore County in accordance with Section 504.2 of the BCZR:

1. A variance from Section 11-II of the CMDP is requested from the standard building length permitted for back-to-back townhomes. Section 11-II states that the maximum building length "shall be six (6) units or 180 feet, which ever is less." A variance is requested for two of the proposed back to back buildings to have a maximum length of seven (7) units at 140 feet and for three buildings to have a maximum length of nine (9) units at 180 feet.

The justification for the additional units per building is to create effective building masses to form and enclose open space and afforestation areas. By permitting more than six (6) units per building, more units will face on the open space amenities and conversely, the streamlined architecture will contribute to the establishment and definition of the community amenity areas.

The double frontage of this back to back unit type, allows a presentable streetscape image from both on site and off site vantage points. By increasing the number of units per buildings, the total number of building necessary to achieve the same density is reduced. This also results in less "end" facades, which typically are the most stark and massive parts of the building. The project will appear more organized with the buildings less spread out all over the site, and much more effective in their placement.

2. A variance from Section 11-22 of the CMDP is requested from the Standard 35' required from a multi-family building face to the edge of paving of a private street. Two multi family buildings are closer than 35 feet to the proposed edge of private street. As shown on the plat, buildings # 7, and 13 are 33' and 32' feet, respectively, from the proposed edge of private street.

The justification for this petition is the irregular shape of the parcel and its impact on the ability to develop the property. All street boundary, building to building and R.P.A. setback requirements can be met, with the exception of this interior road to building setback. These private roads provide access and parking for the units that front on them, with no substantial negative impacts created by the relief requested.

ITEM # 93

3. A variance is requested from Section 409.8 (C)(1) of the Baltimore County Zoning Regulations (BCZR), from the standard distance of 180 feet between landscaped islands in parking areas. In addition, Section 11-21 of the CMDP states that for back-to-back units parking "...should be clustered in pods to discourage large parking lots, not suitable for this type of development. A landscape peninsula shall separate every 10 parking spaces..." Section 11-23 states that multi-family units "...shall cluster parking in pods. A landscaped peninsula or island shall separate every 12 parking spaces..."

A variance is sought from these sections to permit a maximum of 17 parking spaces between landscaped islands. This permitance is requested for one instance, at a location which is not on the main loop road, and which is adjacent to an open space area. There are sixteen instances where more than twelve parking spaces are in one continuous Bay and seven cases where more than ten parking spaces are proposed in on continuous Bay for the back to back units.

The relief from these parking standards will allow for a simple road layout, with parking in front of the units. This provides for a residential streetscape image and avoids a commercial, or apartment style, parking lot effect.

This project will be heavily landscaped through afforestation and overall site plantings, which will include installation of large canopy trees for immediate impact. Planting islands are located to break up parking lengths where appropriate and provide parking where it will best serve the units.

4. A variance from Section 411.1(E)(1) of the B.C.Z.R. is requested, from the maximum 15 square feet permitted for identification signage for a residential community. This project proposes the installation of three, free-standing entrance signs which comprise a total of 600 square feet of sign area. These will be located at the project entrances for identification purposes and designed as site specific entrance features, using materials compatible with the proposed architecture and proportions suitable for the Rolling Road streetscape.

ITEM # 93

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



August 13, 1993

Zoning Description for 18.714 Acres on the North Side of Rolling Road, Election District No. 2, Councilmanic District No. 2.

BEGINNING at a point on the north side of Rolling Road, of variable right-of-way width, at a distance of 150 feet north of the intersection of Rolling Road with Windsor Boulevard, 70 feet wide, and running thence, by a curve to the right with a radius of 2972.40 feet and an arc length of 48.51 feet, South 02° 06' 50" West 219.07 feet, by a curve to the left with a radius of 1467.39 feet and an arc length of 440.13 feet, South 16° 22' 45" East 729.84 feet, by a curve to the right with a radius of 1110.92 feet and an arc length of 140.46 feet, and leaving the road, North 80° 36' 25" West 695.10 feet, North 12° 41' 48" West 135.39 feet, North 65° 08' 08" West 332.47 feet, North 25° 50' 12" East 1352.73 feet, South 65° 23' 46" East 153.62 feet, as recorded in Deed 6323/832, CONTAINING 815,190 square feet or 18.714 acres of land, more or less.



- 10TH MAIN STREET, SUITE 101
BELL AND MARSHALL 21014
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FAX (410) 871-7442
- 10TH MAIN STREET, SUITE 101
BELL AND MARSHALL 21014
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- 10TH MAIN STREET, SUITE 101
BELL AND MARSHALL 21014
(410) 871-7440 (410) 871-7441
FAX (410) 871-7442

ITEM # 93

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2-2 Date of Posting: 8/17/93
Posted for: [Signature]
Petitioner: COSCAN ADLER LIMITED PARTNERSHIP
Location of property: [Address]
Location of Sign: [Address]
Remarks:
Posted by: [Signature] Date of return: 8/18/93
Number of Signs: 1

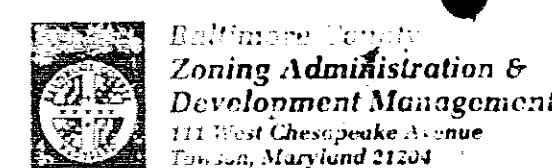
CERTIFICATE OF PUBLICATION

TOWSON, MD. 9/9/93
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/9/93.

THE JEFFERSONIAN

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on the following date and time:
Case Number: 94-86-A
S/W Corner Rolling Road and Clays Lane
2nd Election District - 1st Councilmanic District
Petitioner(s): COSCAN ADLER LIMITED PARTNERSHIP
HEARING: WEDNESDAY, OCTOBER 13, 1993 at 9:00 a.m. - 11:00 a.m.
Verbatim: To permit 2 of the proposed back-to-back buildings to have 7 units at 140 feet length and for 3 buildings to have 9 units at 180 feet length in lieu of the permitted 6 units or 180 feet length, which is less than the proposed edge of a private street in lieu of the required 15 feet for a multi-family building face to the edge of a private street; to permit 17 parking spaces without a landscaped peninsula separating every 10 or 12 parking spaces; and to permit the installation of 3 free standing entrance signs with a total of 600 square feet of sign area in lieu of the maximum 15 square feet permitted for identification signage for a residential community.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are held on the second Tuesday of each month, unless otherwise specified. For special accommodations, please call 867-3353.
(2) For information concerning the filing of petitions, please call 867-3351.
9/13 September 9



Date: 8-27-93
COSCAN/ADLER LIMITED PARTNERSHIP
10480 LITTLE PATUXENT PKWY.
SUITE 400
COLUMBIA, MD. 21044-3502

020 - VARIANCE - \$250.00
021 - SIGN - \$35.00
TOTAL - \$285.00

03A0340343M1CHRC \$285.00
21010753AN08-27-93
Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 93

Petitioner: COSCAN ADLER LIMITED PARTNERSHIP

Location: West side of Rolling Rd. at the intersection of Windsor Blvd and Rolling Road.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MR. DAVID ADLER
ADDRESS: COSCAN ADLER LTD. PARTNERSHIP
10480 Little Patuxent Parkway, Suite 400 Columbia, MD.
PHONE NUMBER: (301) 740-8780 21044-3502

AJ:ggg

(Revised 04/09/93)

TO: PATUXENT PUBLISHING COMPANY
SEPTEMBER 9, 1993 Issue - Jeffersonian

Please forward billing to:

David B. Adler
Coscan Adler Limited Partnership
10480 Little Patuxent Parkway, #400
Columbia, Maryland 21044-3502
301-740-8780

COPY

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-86-A
S/W Corner Rolling Road and Clays Lane
2nd Election District - 1st Councilmanic District
Petitioner(s): COSCAN ADLER LIMITED PARTNERSHIP
HEARING: WEDNESDAY, OCTOBER 13, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

Variance to permit 2 of the proposed back-to-back buildings to have 7 units at 140 feet length and for 3 buildings to have 9 units at 180 feet length in lieu of the permitted 6 units or 180 feet length, which is less; to permit buildings 8' and 113' to be 33' and 37' respectively from the proposed edge of a private street in lieu of the required 15 feet for a multi-family building face to the edge of a private street; to permit 17 parking spaces without a landscaped peninsula separating every 10 or 12 parking spaces; and to permit the installation of 3 free standing entrance signs with a total of 600 square feet of sign area in lieu of the maximum 15 square feet permitted for identification signage for a residential community.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
(2) FOR INFORMATION CONCERNING THE FILING AND/OR HEARINGS, PLEASE CALL 867-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

October 4, 1993

Robert Hoffman, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: Case No. 94-86-A, Item No. 91
Petitioner: Coscan/Adler Limited Partnership
Petition for Variance

Dear Mr. Hoffman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on August 27, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 14, 1993
Zoning Administration and Development Management
FROM: Robert M. Reising, Senior Engineer
Development Plan Review Division
SUBJECT: Zoning Advisory Committee Meeting
for September 14, 1993
Room No. 29

The Development Plan Review Section has reviewed the project and has approved the project for the following reasons: Please see the comments written for the Development Plan Review for this site.

44814



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Re: Baltimore County
Item No: 493 (81)

Ms. Helene Kehring
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is _____

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 585-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: September 14, 1993

SUBJECT: Windsor Commons

INFORMATION:

Item Number: 93

Petitioner: Coscan/Adler Limited Partnership

Property Size: _____

Zoning: D.R. 16

Requested Action: _____

Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

Staff has provided comments regarding the Windsor Commons project as part of the Development Plan Review Process (See II-505). At this time, no additional comments are offered.

Prepared by: *Jeffrey M. Long*

Division Chief: *Edy Kerna*

PK/JL:lw

ZAC-93/PZONE/72AC1

Pg. 1

Baltimore County
Department of Environmental Protection
and Resource Management
Environmental Impact Review
Development Plan Comments

Project Name: Windsor Commons
Project Location: Rolling Road at Chays Lane
Date of Meeting: HGM 10/13/93
Watershed: Patapsco
Reviewer(s): Michael S. Kullin

The following requirements indicated at the time of the concept plan have not been provided and/or approved:

- ___ A wetland delineation report
- ___ A steep slopes and erodible soils analysis
- ___ A variance in accordance with Article 14, Section 14-334
- ___ An alternatives analysis in accordance with Article 14, Section 14-342(b)(1)
- ___ A Forest Stand Delineation
- ___ A Forest Conservation Worksheet
- ___ A Preliminary Forest Conservation Plan
- ___ A Findings Plan
- ___ Deposit of \$1,000 for Forest Buffer processing
- ___ The Development Plan cannot be approved by EIR until such time as the requirements indicated above have been met.

The following corrections must be made to the Development Plan prior to approval:

- ___ The Forest Buffer must be labeled as an Easement or a Reservation
- ___ A Forest Buffer Access Easement must be provided
- ___ Add the standard Forest Buffer Easement/Reservation notes
- ___ Show a building setback of _____ from the Forest Buffer
- ___ Show existing wells, septic systems and storage tanks; if there are none, add a note indicating that there are none

FOREST CONSERVATION EASEMENTS

Standard non-disturbance note:

"There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Conservation Easement except as permitted by the Baltimore County Department of Environmental Protection and Resource Management."

Protective covenants note:

"Any Forest Conservation Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas."

FOREST CONSERVATION SPECIMEN TREES

Standard non-disturbance note:

"There shall be no clearing, grading, construction, soil compaction or excavation, introduction of toxic chemicals or other disturbances detrimental to the live specimen trees or critical root zones for these trees except as permitted by the Baltimore County Department of Environmental Protection and Resource Management."

1-14-94 ZADM TRANSMITTAL
Date 887-3335

TO: // DPR
// SCD
// DEPRM
// ZONING
// ZADM
// OTHER
Re: Project Name *Windsor Commons* // Project Not Managed
Project Manager *Robert M. Reising* ZADM No. *II-505*
Type of Plan *FD* // Preliminary // Final // Signature
Team Leader *MZA*
Engineer *MZA* Tele # *821-1690*

Phase II Routing Slip:

Scheduled submission date: (see Project Chart) _____
Scheduled completion date: (see Project Chart) _____
OR
(2 wks from submission)

// Approved
// Approved with comments ACTION TAKEN
// Returned for revision BY REVIEWER:
// Disapproved

ZADM

Robert M. Reising 11/25/94
Reviewer's Name Date

RETURN TO: ZADM - Room 123 COUNTY OFFICE BUILDING

"FLAGS" or "Too Many Reviews" should be brought to P.M.'s attention!

This form is being sent to you from _____

VENABLE, BAETJER AND HOWARD

ATTORNEYS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204-5517

ROBERT A. HOFFMAN

October 18, 1993

DELIVERED BY HAND

Timothy M. Kotroco
Deputy Zoning Commissioner
First Floor, Old Courthouse
Towson, Maryland 21204

Re: Windsor Commons
Case No. 94-86-A and Development Plan File #II-505

Dear Tim:

As requested, the following is proposed language for a restriction to be contained within your Development Plan and Zoning Order:

"The Class A landscape buffer shown along the southeast property line shall be continued in a southeasterly direction parallel to the embankment of the storm water management facility to the southeasternmost edge of the embankment (in areas exclusive of any existing or proposed drainage and utility easements), only if the adjacent property owner provides sufficient area on its property to install the Class A landscape buffer. The adjacent property owner shall provide such sufficient area through a recorded easement that includes legally sufficient indemnifications or releases as may be necessary for the installation of the plant material. Additionally, ornamental grasses are to be installed along the southeast border of the embankment of the storm water management pond on the subject site, only if approved by all appropriate governmental agencies."

3101 Rices Lane
Baltimore, MD 21244
October 10, 1993

Mr. Kurt Kujelberg, Proj. Mgr.
Development/Management/ZADM
Baltimore County Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

RECEIVED
OCT 13 1993
ZADM

Dear Mr. Kujelberg:

I attended the Community Input Meeting for Windsor Commons, and I wish to add to the minutes that I received. From the way the minutes were written, it sounded like the community was not so much upset about the building of Windsor Commons as about the traffic it would cause on Rolling Road; that the traffic problem could be solved if the County would only build Windsor Boulevard and widen Rolling Road; and that the citizens were eager for the County to do this road construction quickly. (As if the road construction were needed, and as if the road construction would solve the problem of heavy traffic on Rolling Road by bringing more traffic to it.)

I was the one who asked questions about Windsor Boulevard, and not because I want it to be built, or because I see it as necessary. The reason I asked about it is that Windsor Boulevard has been a threat to my neighbors' volume for years. Depending on its configuration, it could literally destroy our small community. A big new road will not help the problems in this community. The real problem is that this area is already overpopulated. The morning traffic is at gridlock.

Rolling Road at its widest point (the intersection of Rolling Road and Route 40) cannot handle the morning rush hour traffic. It is not unusual for motorists to wait for the traffic light to change two or more times. I work in Brooklyn, and I cannot use the beltway to get to work in the morning, especially since Route 795 was built to bring traffic down from Carroll County. During the morning rush hour, the beltway at Security Boulevard, which is where much of the Rolling Road traffic is headed, is at a standstill. But at the Community Input Meeting it

NAME	ADDRESS
Robert Johnson	1234 Main St.
John Doe	5678 Elm St.
Vincent Taylor	Mt. View
Robert L. Brown	9010 Oak St.
John Smith	1111 Pine St.
John Doe	2222 Pine St.
John Doe	3333 Pine St.
John Doe	4444 Pine St.
John Doe	5555 Pine St.
John Doe	6666 Pine St.
John Doe	7777 Pine St.
John Doe	8888 Pine St.
John Doe	9999 Pine St.
John Doe	1010 Pine St.
John Doe	1111 Pine St.
John Doe	1212 Pine St.
John Doe	1313 Pine St.
John Doe	1414 Pine St.
John Doe	1515 Pine St.
John Doe	1616 Pine St.
John Doe	1717 Pine St.
John Doe	1818 Pine St.
John Doe	1919 Pine St.
John Doe	2020 Pine St.
John Doe	2121 Pine St.
John Doe	2222 Pine St.
John Doe	2323 Pine St.
John Doe	2424 Pine St.
John Doe	2525 Pine St.
John Doe	2626 Pine St.
John Doe	2727 Pine St.
John Doe	2828 Pine St.
John Doe	2929 Pine St.
John Doe	3030 Pine St.
John Doe	3131 Pine St.
John Doe	3232 Pine St.
John Doe	3333 Pine St.
John Doe	3434 Pine St.
John Doe	3535 Pine St.
John Doe	3636 Pine St.
John Doe	3737 Pine St.
John Doe	3838 Pine St.
John Doe	3939 Pine St.
John Doe	4040 Pine St.
John Doe	4141 Pine St.
John Doe	4242 Pine St.
John Doe	4343 Pine St.
John Doe	4444 Pine St.
John Doe	4545 Pine St.
John Doe	4646 Pine St.
John Doe	4747 Pine St.
John Doe	4848 Pine St.
John Doe	4949 Pine St.
John Doe	5050 Pine St.
John Doe	5151 Pine St.
John Doe	5252 Pine St.
John Doe	5353 Pine St.
John Doe	5454 Pine St.
John Doe	5555 Pine St.
John Doe	5656 Pine St.
John Doe	5757 Pine St.
John Doe	5858 Pine St.
John Doe	5959 Pine St.
John Doe	6060 Pine St.
John Doe	6161 Pine St.
John Doe	6262 Pine St.
John Doe	6363 Pine St.
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John Doe	6565 Pine St.
John Doe	6666 Pine St.
John Doe	6767 Pine St.
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John Doe	7676 Pine St.
John Doe	7777 Pine St.
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John Doe	7979 Pine St.
John Doe	8080 Pine St.
John Doe	8181 Pine St.
John Doe	8282 Pine St.
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John Doe	9191 Pine St.
John Doe	9292 Pine St.
John Doe	9393 Pine St.
John Doe	9494 Pine St.
John Doe	9595 Pine St.
John Doe	9696 Pine St.
John Doe	9797 Pine St.
John Doe	9898 Pine St.
John Doe	9999 Pine St.

